

BY REPRESENTATIVE JOHNSON

To amend and reenact R.S. 46:236.1.4(B), relative to family and child support programs; to provide for financial institution duties; to provide for the authority of other states to place levies and liens on assets of noncustodial parents; and to provide for related matters.

§236.1.4. Family and child support programs; financial institution duties; responsibilities

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(3) Any Title IV-D agency may enforce a lien in this state by attaching and seizing of assets of the delinquent obligor held in a financial institution operating in Louisiana without the necessity of obtaining an order from any other judicial or

1 administrative tribunal if the financial institution is presented with a properly
2 documented request. To be properly documented and valid, such request shall
3 contain all of the following:

4 (a) A certified copy of the judgment or administrative order issued by the
5 appropriate legal authority establishing the lien.

6 (b) A letter or notice of lien or levy which includes all of the following
7 information:

8 (i) The name of the Title IV-D agency responsible for making the request for
9 attachment and seizure of assets.

10 (ii) The name of the Title IV-D agency representative responsible for making
11 the request for attachment and seizure of assets.

12 (iii) The name of the financial institution to whom the request for attachment
13 and seizure is directed.

14 (iv) The name and social security number of the obligor against whom the
15 lien is sought to be enforced.

16 (v) The name and address of the Title IV-D agency to whom the financial
17 institution is to remit the seized assets or deposits.

18 (vi) A statement confirming that a copy of the request for attachment and
19 seizure of assets or deposits was sent to the obligor by certified mail with return
20 receipt requested.

21 (4) To transmit a request prepared in accordance with the provisions of this
22 Subsection, a Title IV-D agency shall send the request by certified mail with return
23 receipt requested to all of the following:

24 (a) A financial institution through its registered agent as defined in R.S.
25 6:285(C).

26 (b) The obligor against whom the lien is sought to be enforced.

27 (5) If, after fifteen days from the date that a financial institution receives a
28 request which conforms with the provisions of this Subpart, the person against whom
29 the lien is sought has not provided written notice stating that he has taken legal
30 action to enjoin or otherwise restrain compliance with the request, then the financial

3 (6) No financial institution, including its directors, officers, employees,
4 attorneys, accountants, or other agents, shall incur liability to any person, including
5 any depositor or other customer, as a result of remitting deposits or other assets to
6 a Title IV-D agency in compliance with a request that conforms to the provisions of
7 this Subsection.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

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